

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

MARTELL ELECTRIC, LLC,

Plaintiff,

v.

CASE NO. 3:22-CV-430-CCB-MGG

STEPHEN TISHHOUSE, et al.,

Defendants.

ORDER

On March 29, 2024, the parties moved for a thirty-day extension of the April 15, 2024, dispositive motion deadline. The parties explain that the requested extension is necessary because, after the parties deposed Plaintiff Martell Electric, LLC's ("Martell") 30(b)(6) representative on March 27, 2024, Defendants now wish to depose two additional Martell employees.

This Court is often inclined to grant joint motions like this. But [Fed. R. Civ. P. 16\(b\)\(4\)](#) only allows modifications of Rule 16(b) Scheduling Orders "for good cause and with the judge's consent." Moreover, the Court's order dated December 20, 2023, further advised the parties that they "should anticipate that additional requests to modify the Rule 16(b) deadlines will not be considered favorably absent a showing of circumstances beyond the control of the parties and their inability to negotiate those circumstances in the exercise of due diligence." [DE 42 at 2]. The parties' motion also comes well after the discovery-related nondispositive motion deadline of March 4, 2024, without any acknowledgement of such from the parties. [See *id.*]. The Court thus

questions whether the parties' motion provides sufficient rationale for an extension under Rule 16(b)(4) or the Court's prior order.

Despite this, given the parties' agreement regarding the limited discovery remaining, the Court will **GRANT** the parties' joint motion in the interest of justice. [DE 44]. The deadline for completion of discovery is **EXTENDED** to **May 1, 2024**, for the limited purpose of conducting two Martell employees' depositions, and the dispositive motion deadline is accordingly **EXTENDED** to **May 15, 2024**, as requested.

No further extensions of these deadlines will be granted absent extraordinary reasons beyond the parties' control.

SO ORDERED this 10th day of April 2024.

s/Michael G. Gotsch, Sr.
Michael G. Gotsch, Sr.
United States Magistrate Judge